

Hearing Date: 02/27/11  
Response Deadline: 02/03/11

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Lawrence R. Reich

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re

Chapter 11

DELPHI CORPORATION, *et al.*,

Case No. 05-44481-RDD

Debtors.

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DELPHI CORPORATION, *et al.*,

Adv. Pro. No. 07-02188-RDD

Plaintiffs,  
-against-

CRITECH RESEARCH, INC.,

Defendant.

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**CRITECH RESEARCH INC.'S OBJECTION TO THE REORGANIZED  
DEBTORS' MOTION FOR LEAVE TO FILE AMENDED COMPLAINTS**

Defendant, Critech Research Inc. ("Critech"), by its undersigned attorneys, Reich, Reich & Reich, P.C., hereby objects to the Reorganized Debtors' motion for leave to file amended complaints (the "Motion").

As set forth in the annexed declaration of Robert J. Rajewski, Critech was never provided with notice of, nor did it have any knowledge of, the motion seeking the Preservation

Order<sup>1</sup> or the First Extension Motion, the Second Extension Motion, or the Third Extension Motion.

In addition, the summons with respect to this Adversary Proceeding was not issued until December 8, 2009, and Critech was not served with the summons and complaint in this Adversary Proceeding until December 17, 2009, over four years after the Debtors filed their chapter 11 petitions and more than two years after the expiration of the applicable statute of limitations. See 11 U.S.C. § 546(a).

In the interest of judicial economy, Critech does not separately restate each and every argument and possible legal theory for the denial of the Motion. Rather, Critech joins and adopts all relevant arguments and authorities set forth in Affinia Group Holdings Inc.'s and Brake Parts Inc.'s Brief in Opposition to Reorganized Debtors' Brief in Opposition to Reorganized Debtors' Motion For Leave to File Amended Complaints (Adv. Pro. No. 07-02198) (Docket No. 20841), Po Tech Machine's Objection to Reorganized Debtors' Motion For Leave to File Amended Complaints (Adv. Pro. No. 07-02690) (Docket No. 20842) and Stephenson and Sons Roofing's Objection to Reorganized Debtors' Motion For Leave to File Amended Complaints (Adv. Pro. No. 07-02654) (Docket No. 20848), as well as in all other objections filed by similarly-situated defendants, as if they were set forth herein in their entirety.

Critech reserves its right to supplement this Objection and to appear at any and all hearings and conferences scheduled on the Motion.

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<sup>1</sup> Capitalized terms used herein and not otherwise defined shall have the meaning ascribed to them in the Motion.

WHEREFORE, Critech respectfully requests that the Motion be denied in all respects and that it have such other and further relief as is just and proper.

Dated: White Plains, New York  
November 23, 2010

REICH, REICH & REICH, P.C.  
Attorneys for Critech Research Inc.

By: /s/ Lawrence R. Reich  
Lawrence R. Reich

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